



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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SN- 10700548

Attachment to Notice of Incomplete Reply

This is in response to Applicant's remarks regarding sequence rule compliance in the instant application. An application that contains generic techniques to determine DNA sequence information such as DNA molecule length or nucleotide composition, without disclosing specific sequences, would not have to comply with the sequence rules. The instant application, however, also discloses specific sequences. The facts that no sequences are claimed and any specific sequence mentioned would be used solely for illustrate purposes and not represent a novel sequence disclosure are immaterial. Any sequence that is disclosed must be submitted in accordance with 37 CFR 1.821-825. That is the meaning of the "exclusively" language.

Sequences were found at page(s) ²¹22, and/or Figure ____.
of Specification.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78134

HUGHES, LAURENCE GERALD, et al.

Appln. No.: 10/700,548

Group Art Unit: 1762

Confirmation No.: 6075

Examiner: Unknown

Filed: November 05, 2003

For: COATED IMPLANTS

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This response is in regard to the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES, dated April 16, 2004, issued in the above-referenced patent application.

In the Notice to Comply, the Examiner states that the present application fails to comply with the requirements of 37 C.F.R. §§1.821-1.825.

Applicants assert that this Response to the Notification of Missing Requirements and the enclosures are being timely filed, and that the enclosures bring the present application in full compliance with the requirements of 37 C.F.R. §§1.821-1.825.

Notice To Comply With Requirements For Patent
Applications Containing Nucleotide Sequence
And/Or Amino Acid Sequence Disclosures
USSN 10/700,548

Applicants further respectfully request entry of the Sequence Listing into the pending application.

Applicants respectfully request that the Examiner acknowledge that the Sequence Listing in the present application meets the requirements of 37 C.F.R. §§1.821-1.825.

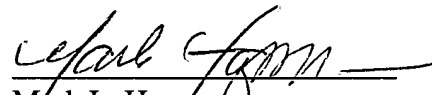
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Mark L. Hayman
Registration No. 51,793

Date: June 10, 2004



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78134

HUGHES, LAURENCE GERALD, et al.

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**STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

MAIL STOP SEQUENCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

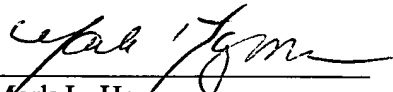
In connection with the Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. §1.821(g), does not include any new matter;
2. the contents of the 1-page Sequence Listing being filed with the present application, and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively, are the same; and
3. all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that

Statement To Support Filing And Submission In
Accordance With 37 C.F.R. §§ 1.821-1.825
USSN 10/700,548

such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,


Mark L. Hayman
Registration No. 51,793

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